



General Assembly

February Session, 2008

Amendment

LCO No. 5823

HB0588605823SR0

Offered by:

SEN. CALIGIURI, 16th Dist.
SEN. CAPIELLO, 24th Dist.
SEN. DEBICELLA, 21st Dist.
SEN. FASANO, 34th Dist.
SEN. FREEDMAN, 26th Dist.
SEN. GUGLIELMO, 35th Dist.
SEN. HERLIHY, 8th Dist.

SEN. KANE, 32nd Dist.
SEN. KISSEL, 7th Dist.
SEN. MCKINNEY, 28th Dist.
SEN. NICKERSON, 36th Dist.
SEN. RORABACK, 30th Dist.
SEN. RUSSO, 22nd Dist.

To: House Bill No. 5886

File No. 751

Cal. No. 496

**"AN ACT CONCERNING THE MEMBERSHIP OF THE
MATTABASSETT DISTRICT COMMISSION."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) As used in sections 501 to
4 503, inclusive, of this act:

5 (1) "Public official" means public official, as defined in section 1-79
6 of the 2008 supplement to the general statutes, a judge of any court
7 either elected or appointed, and any elected or appointed municipal
8 official;

9 (2) "State or municipal employee" means state employee, as defined

10 in section 5-154 of the general statutes, and includes an employee of
11 any quasi-public agency, as defined in section 1-120 of the general
12 statutes, or any person, whether appointed or under contract, who
13 provides services for a city, town or other political subdivision of the
14 state for which a pension is provided; and

15 (3) "Crime related to state or municipal office" means any of the
16 following criminal offenses committed by a person while serving as a
17 public official or state or municipal employee:

18 (A) The committing, aiding or abetting of an embezzlement of
19 public funds from the state, a municipality or a quasi-public agency;

20 (B) The committing, aiding or abetting of any felonious theft from
21 the state, a municipality or a quasi-public agency;

22 (C) Bribery in connection with service as a public official or state or
23 municipal employee; or

24 (D) The committing of any felony by such person who, wilfully and
25 with the intent to defraud, realizes or obtains, or attempts to realize or
26 obtain, a profit, gain or advantage for himself or herself or for some
27 other person, through the use or attempted use of the power, rights,
28 privileges or duties of his or her position as a public official or state or
29 municipal employee.

30 Sec. 502. (NEW) (*Effective from passage*) (a) Notwithstanding any
31 provision of the general statutes, on or after the effective date of this
32 section, if any person is convicted of or pleads guilty or nolo
33 contendere to any crime related to state or municipal office in state
34 criminal or federal criminal court, the Attorney General shall apply to
35 the Superior Court for an order to revoke or reduce the pension of any
36 kind to which such person is otherwise entitled under the general
37 statutes for service as a public official or state or municipal employee.

38 (b) If any public official or state or municipal employee is convicted
39 of or pleads guilty or nolo contendere to any crime related to state or

40 municipal office, in either federal criminal or state criminal court, the
41 value of any reduction or revocation ordered by the Superior Court
42 pursuant to subsection (c) shall not exceed the amount necessary to
43 satisfy any fine, restitution or other monetary order made by the
44 criminal court in addition to the amount necessary to pay the cost of
45 such public official or state or municipal employee's incarceration, as
46 determined pursuant to section 18-85a of the general statutes unless
47 the court determines that the severity of the crime, the amount of
48 monetary loss suffered by the state, municipality or quasi-public
49 agency or the nature of the fraudulent scheme against the state,
50 municipality or quasi-public agency or any combination of such factors
51 is such that the public interest requires that the amount of the
52 reduction be greater than such amount or that the pension be revoked
53 in full.

54 (c) In determining whether the pension shall be revoked or reduced,
55 the Superior Court shall consider and make findings on the following
56 factors:

57 (1) The severity of the crime related to state or municipal office for
58 which the person has been convicted or to which the person has pled
59 guilty or nolo contendere;

60 (2) The amount of monetary loss suffered by the state, a
61 municipality or a quasi-public agency or by any other person as a
62 result of the crime related to state or municipal office;

63 (3) The degree of public trust reposed in the person by virtue of the
64 person's position as a public official or state or municipal employee;

65 (4) If the crime related to state or municipal office was part of a
66 fraudulent scheme against the state or a municipality, the role of the
67 person in the fraudulent scheme against the state or a municipality;
68 and

69 (5) Any such other factors as, in the judgment of the Superior Court,
70 justice may require.

71 (d) If the court determines, or the Attorney General certifies, that a
72 public official or state or municipal employee, who was convicted of or
73 pled guilty or nolo contendere to a crime related to state or municipal
74 office, voluntarily provided information to the Attorney General, the
75 Auditors of Public Accounts or any state, federal or local law
76 enforcement official concerning the commission of such crime related
77 to state or municipal office by another public official or state or
78 municipal employee who had a greater degree of culpability for such
79 crime than the public official or state or municipal employee providing
80 such information, the court shall not reduce or revoke the pension of
81 such public official or state or municipal employee, provided such
82 public official or state or municipal employee voluntarily provided
83 such information prior to learning of a criminal investigation into such
84 crime related to state or municipal office.

85 (e) If the Superior Court determines that the pension of a person
86 should be reduced, it may, after taking into consideration the financial
87 needs and resources of any innocent spouse, dependents and
88 designated beneficiaries of the person, order that some or all of the
89 reduced pension be paid to any such innocent spouse, dependent or
90 beneficiary as justice may require.

91 (f) If the Superior Court determines that the pension of such person
92 should not be revoked or reduced, it shall order that the retirement or
93 other benefit or payment be made to such person.

94 (g) In all criminal proceedings in state or federal court in which the
95 defendant is a public official or a state or municipal employee who is
96 charged with a crime related to state or municipal office, the Attorney
97 General shall notify the prosecutor of the existence of the pension
98 revocation statute and the possibility that any fine, restitution or other
99 monetary order made by the court may be paid from such official's or
100 employee's pension.

101 (h) If any provision, clause or phrase of this section or of any order
102 or any action of the Attorney General hereunder is adjudged by any

103 court of competent jurisdiction to be invalid, or if the applicability
104 thereof to any person or circumstance is held invalid, such judgment
105 shall not invalidate the remainder of this section or such order or
106 action, and the applicability thereof to other persons and
107 circumstances shall not be affected thereby.

108 Sec. 503. (NEW) (*Effective from passage*) (a) Any person whose
109 pension is revoked pursuant to section 502 of this act shall be entitled
110 to a return of his or her contribution paid into the relevant pension
111 fund, without interest.

112 (b) Notwithstanding the provisions of subsection (a) of this section,
113 no payments in return of contributions shall be made or ordered
114 unless and until the Superior Court determines that the person whose
115 pension has been revoked pursuant to section 502 of this act has
116 satisfied in full any judgments or orders rendered by any court of
117 competent jurisdiction for the payment of restitution to the state or a
118 municipality for losses incurred as a result of the crime related to state
119 or municipal office. If the Superior Court determines that the person
120 whose pension has been revoked under section 502 of this act has
121 failed to satisfy any outstanding judgment or order of restitution
122 rendered by any court of competent jurisdiction, it may order that any
123 funds otherwise due to such person as a return of contribution, or any
124 portion thereof, be paid in satisfaction of the judgment or order.

125 (c) No provision of section 502 of this act or this section shall be
126 construed to prohibit or limit any payment made pursuant to a
127 qualified domestic relations order issued prior to any such conviction
128 or plea by: (1) Any public official or state or municipal employee who
129 is convicted of or pleads guilty or nolo contendere to any crime related
130 to state or municipal office; or (2) any state or municipal agency
131 responsible for the administration of such payment on behalf of such
132 public official or state or municipal employee.

133 (d) Notwithstanding the provisions of section 502 of this act, no
134 pension shall be reduced or revoked if the Internal Revenue Service

135 determines that such reduction or revocation will negatively affect or
136 invalidate the status of the state's government retirement plans or a
137 municipality's government retirement plans under Section 401(a) of
138 the Internal Revenue Code of 1986, or any subsequent corresponding
139 internal revenue code of the United States, as from time to time
140 amended.

141 Sec. 504. (NEW) (*Effective October 1, 2008*) (a) A public servant, as
142 defined in section 53a-146 of the general statutes, as amended by this
143 act, is guilty of failure to report bribery when the public servant: (1)
144 Knows that (A) another person has attempted to bribe such public
145 servant, as defined in section 53a-147 of the general statutes, or (B)
146 such public servant has witnessed either (i) a person attempting to
147 bribe another public servant, as defined in section 53a-147 of the
148 general statutes, or (ii) another public servant commit the crime of
149 bribe receiving, as defined in section 53a-148 of the general statutes;
150 and (2) does not, as soon as reasonably practicable, report such crime
151 to a law enforcement agency.

152 (b) Failure to report bribery is a class A misdemeanor.

153 Sec. 505. Section 53a-146 of the general statutes is repealed and the
154 following is substituted in lieu thereof (*Effective October 1, 2008*):

155 For purposes of this part:

156 (1) An "official proceeding" is any proceeding held or which may be
157 held before any legislative, judicial, administrative or other agency or
158 official authorized to take evidence under oath, including any referee,
159 hearing examiner, commissioner or notary or other person taking
160 evidence in connection with any proceeding.

161 (2) "Benefit" means monetary advantage, or anything regarded by
162 the beneficiary as a monetary advantage, including benefit to any
163 person or entity in whose welfare the beneficiary is interested.

164 (3) "Public servant" is an officer or employee of government or a

165 quasi-public agency, as defined in section 1-120, elected or appointed,
166 and any person participating as advisor, consultant or otherwise, paid
167 or unpaid, in performing a governmental function.

168 (4) "Government" includes any branch, subdivision or agency of the
169 state or any locality within it.

170 (5) "Labor official" means any duly appointed or elected
171 representative of a labor organization or any duly appointed or elected
172 trustee or representative of an employee welfare trust fund.

173 (6) "Witness" is any person summoned, or who may be summoned,
174 to give testimony in an official proceeding.

175 (7) "Juror" is any person who has been drawn or summoned to serve
176 or act as a juror in any court.

177 (8) "Physical evidence" means any article, object, document, record
178 or other thing of physical substance which is or is about to be
179 produced or used as evidence in an official proceeding.

180 (9) "Person selected to be a public servant" means any person who
181 has been nominated or appointed to be a public servant.

182 Sec. 506. (NEW) (*Effective from passage*) Not later than December 31,
183 2010, the Office of State Ethics shall establish and administer a
184 program of mandatory training on the code of ethics for public officials
185 as set forth in chapter 10 of the general statutes. Such program shall
186 provide such training to members of the General Assembly upon first
187 election to the General Assembly, and for all members of the General
188 Assembly every four years beginning in 2011, except that, in the event
189 there is a significant revision of the code of ethics for public officials, as
190 determined by the Joint Committee on Legislative Management, said
191 committee shall request that the Office of State Ethics conduct a
192 training for all members of the General Assembly before the date of the
193 next regularly scheduled training.

194 Sec. 507. Subsection (k) of section 1-79 of the 2008 supplement to the

195 general statutes is repealed and the following is substituted in lieu
196 thereof (*Effective July 1, 2008*):

197 (k) "Public official" means any state-wide elected officer, any
198 member or member-elect of the General Assembly, any person
199 appointed to any office of the legislative, judicial or executive branch
200 of state government by the Governor or an appointee of the Governor,
201 with or without the advice and consent of the General Assembly, any
202 public member or representative of the teachers' unions or state
203 employees' unions appointed to the Investment Advisory Council
204 pursuant to subsection (a) of section 3-13b, any person appointed or
205 elected by the General Assembly or by any member of either house
206 thereof, [and] any member or director of a quasi-public agency and the
207 spouse of the Governor, but shall not include a member of an advisory
208 board, a judge of any court either elected or appointed or a senator or
209 representative in Congress.

210 Sec. 508. Section 9-622 of the general statutes is repealed and the
211 following is substituted in lieu thereof (*Effective July 1, 2008*):

212 The following persons shall be guilty of illegal practices and shall be
213 punished in accordance with the provisions of section 9-623:

214 (1) Any person who, directly or indirectly, individually or by
215 another person, gives or offers or promises to any person any money,
216 gift, advantage, preferment, entertainment, aid, emolument or other
217 valuable thing for the purpose of inducing or procuring any person to
218 sign a nominating, primary or referendum petition or to vote or refrain
219 from voting for or against any person or for or against any measure at
220 any election, caucus, convention, primary or referendum;

221 (2) Any person who, directly or indirectly, receives, accepts,
222 requests or solicits from any person, committee, association,
223 organization or corporation, any money, gift, advantage, preferment,
224 aid, emolument or other valuable thing for the purpose of inducing or
225 procuring any person to sign a nominating, primary or referendum
226 petition or to vote or refrain from voting for or against any person or

227 for or against any measure at any such election, caucus, primary or
228 referendum;

229 (3) Any person who, in consideration of any money, gift, advantage,
230 preferment, aid, emolument or other valuable thing paid, received,
231 accepted or promised to the person's advantage or any other person's
232 advantage, votes or refrains from voting for or against any person or
233 for or against any measure at any such election, caucus, primary or
234 referendum;

235 (4) Any person who solicits from any candidate any money, gift,
236 contribution, emolument or other valuable thing for the purpose of
237 using the same for the support, assistance, benefit or expenses of any
238 club, company or organization, or for the purpose of defraying the cost
239 or expenses of any political campaign, primary, referendum or
240 election;

241 (5) Any person who, directly or indirectly, pays, gives, contributes
242 or promises any money or other valuable thing to defray or towards
243 defraying the cost or expenses of any campaign, primary, referendum
244 or election to any person, committee, company, club, organization or
245 association, other than to a campaign treasurer, except that this
246 subdivision shall not apply to any expenses for postage, telegrams,
247 telephoning, stationery, express charges, traveling, meals, lodging or
248 photocopying incurred by any candidate for office or for nomination to
249 office, so far as may be permitted under the provisions of this chapter;

250 (6) Any person who, in order to secure or promote the person's own
251 nomination or election as a candidate, or that of any other person,
252 directly or indirectly, promises to appoint, or promises to secure or
253 assist in securing the appointment, nomination or election of any other
254 person to any public position, or to any position of honor, trust or
255 emolument; but any person may publicly announce the person's own
256 choice or purpose in relation to any appointment, nomination or
257 election in which the person may be called to take part, if the person is
258 nominated for or elected to such office;

259 (7) Any person who, directly or indirectly, individually or through
260 another person, makes a payment or promise of payment to a
261 campaign treasurer in a name other than the person's own, and any
262 campaign treasurer who knowingly receives a payment or promise of
263 payment, or enters or causes the same to be entered in the person's
264 accounts in any other name than that of the person by whom such
265 payment or promise of payment is made;

266 (8) Any person who knowingly and wilfully violates any provision
267 of this chapter;

268 (9) Any person who offers or receives a cash contribution in excess
269 of one hundred dollars to promote the success or defeat of any political
270 party, candidate or referendum question;

271 (10) Any person who solicits, makes or receives a contribution that
272 is otherwise prohibited by any provision of this chapter;

273 (11) Any department head or deputy department head of a state
274 department who solicits a contribution on behalf of, or for the benefit
275 of, any candidate for state, district or municipal office or any political
276 party;

277 (12) Any municipal employee who solicits a contribution on behalf
278 of, or for the benefit of, any candidate for state, district or municipal
279 office, any political committee or any political party, from (A) an
280 individual under the supervision of such employee, or (B) the spouse
281 or a dependent child of such individual; [or]

282 (13) Any person who makes a coordinated expenditure for a
283 candidate without the knowledge of said candidate. No candidate
284 shall be civilly or criminally liable with regard to any such coordinated
285 expenditure;

286 (14) Any chief of staff of a legislative caucus who solicits a
287 contribution on behalf of or for the benefit of any candidate for state,
288 district or municipal office from an employee of the legislative caucus;

289 (15) Any chief of staff for a state-wide elected official who solicits a
290 contribution on behalf of or for the benefit of any candidate for state,
291 district or municipal office from a member of such official's staff; or

292 (16) Any chief of staff for the Governor or Lieutenant Governor who
293 solicits a contribution on behalf of or for the benefit of any candidate
294 for state, district or municipal office from a member of the staff of the
295 Governor or Lieutenant Governor, or from any commissioner or
296 deputy commissioner of any state agency.

297 Sec. 509. Subsection (e) of section 1-79 of the 2008 supplement to the
298 general statutes is repealed and the following is substituted in lieu
299 thereof (*Effective July 1, 2008*):

300 (e) "Gift" means anything of value, which is directly and personally
301 received, unless consideration of equal or greater value is given in
302 return. "Gift" shall not include:

303 (1) A political contribution otherwise reported as required by law or
304 a donation or payment as described in subdivision (9) or (10) of
305 subsection (b) of section 9-601a;

306 (2) Services provided by persons volunteering their time, if
307 provided to aid or promote the success or defeat of any political party,
308 any candidate or candidates for public office or the position of
309 convention delegate or town committee member or any referendum
310 question;

311 (3) A commercially reasonable loan made on terms not more
312 favorable than loans made in the ordinary course of business;

313 (4) A gift received from (A) an individual's spouse, fiance or fiancée,
314 (B) the parent, brother or sister of such spouse or such individual, or
315 (C) the child of such individual or the spouse of such child;

316 (5) Goods or services (A) which are provided to a state agency or
317 quasi-public agency (i) for use on state or quasi-public agency
318 property, or (ii) that support an event, and (B) which facilitate state or

319 quasi-public agency action or functions. As used in this subdivision,
320 "state property" means (i) property owned by the state or a quasi-
321 public agency, or (ii) property leased to a state agency or quasi-public
322 agency;

323 (6) A certificate, plaque or other ceremonial award costing less than
324 one hundred dollars;

325 (7) A rebate, discount or promotional item available to the general
326 public;

327 (8) Printed or recorded informational material germane to state
328 action or functions;

329 (9) Food or beverage or both, costing less than fifty dollars in the
330 aggregate per recipient in a calendar year, and consumed on an
331 occasion or occasions at which the person paying, directly or
332 indirectly, for the food or beverage, or his representative, is in
333 attendance;

334 (10) Food or beverage or both, costing less than fifty dollars per
335 person and consumed at a publicly noticed legislative reception to
336 which all members of the General Assembly are invited and which is
337 hosted not more than once in any calendar year by a lobbyist or
338 business organization. For the purposes of such limit, (A) a reception
339 hosted by a lobbyist who is an individual shall be deemed to have also
340 been hosted by the business organization which he owns or is
341 employed by, and (B) a reception hosted by a business organization
342 shall be deemed to have also been hosted by all owners and employees
343 of the business organization who are lobbyists. In making the
344 calculation for the purposes of such fifty-dollar limit, the donor shall
345 divide the amount spent on food and beverage by the number of
346 persons whom the donor reasonably expects to attend the reception;

347 (11) Food or beverage or both, costing less than fifty dollars per
348 person and consumed at a publicly noticed reception to which all
349 members of the General Assembly from a region of the state are

350 invited and which is hosted not more than once in any calendar year
351 by a lobbyist or business organization. For the purposes of such limit,
352 (A) a reception hosted by a lobbyist who is an individual shall be
353 deemed to have also been hosted by the business organization which
354 he owns or is employed by, and (B) a reception hosted by a business
355 organization shall be deemed to have also been hosted by all owners
356 and employees of the business organization who are lobbyists. In
357 making the calculation for the purposes of such fifty-dollar limit, the
358 donor shall divide the amount spent on food and beverage by the
359 number of persons whom the donor reasonably expects to attend the
360 reception. As used in this subdivision, "region of the state" means the
361 established geographic service area of the organization hosting the
362 reception;

363 (12) A gift, including but not limited to, food or beverage or both,
364 provided by an individual for the celebration of a major life event,
365 provided any such gift provided by an individual who is not a
366 member of the family of the recipient shall not exceed one thousand
367 dollars in value;

368 (13) Gifts costing less than one hundred dollars in the aggregate or
369 food or beverage provided at a hospitality suite at a meeting or
370 conference of an interstate legislative association, by a person who is
371 not a registrant or is not doing business with the state of Connecticut;

372 (14) Admission to a charitable or civic event, including food and
373 beverage provided at such event, but excluding lodging or travel
374 expenses, at which a public official or state employee participates in
375 his official capacity, provided such admission is provided by the
376 primary sponsoring entity;

377 (15) Anything of value provided by an employer of (A) a public
378 official, (B) a state employee, or (C) a spouse of a public official or state
379 employee, to such official, employee or spouse, provided such benefits
380 are customarily and ordinarily provided to others in similar
381 circumstances;

382 (16) Anything having a value of not more than ten dollars, provided
383 the aggregate value of all things provided by a donor to a recipient
384 under this subdivision in any calendar year shall not exceed fifty
385 dollars; or

386 (17) Training that is provided by a vendor for a product purchased
387 by a state or quasi-public agency which is offered to all customers of
388 such vendor.

389 Sec. 510. Subsection (g) of section 1-91 of the 2008 supplement to the
390 general statutes is repealed and the following is substituted in lieu
391 thereof (*Effective July 1, 2008*):

392 (g) "Gift" means anything of value, which is directly and personally
393 received, unless consideration of equal or greater value is given in
394 return. "Gift" shall not include:

395 (1) A political contribution otherwise reported as required by law or
396 a donation or payment described in subdivision (9) or (10) of
397 subsection (b) of section 9-601a;

398 (2) Services provided by persons volunteering their time, if
399 provided to aid or promote the success or defeat of any political party,
400 any candidate or candidates for public office or the position of
401 convention delegate or town committee member or any referendum
402 question;

403 (3) A commercially reasonable loan made on terms not more
404 favorable than loans made in the ordinary course of business;

405 (4) A gift received from (A) the individual's spouse, fiance or
406 fiancée, (B) the parent, brother or sister of such spouse or such
407 individual, or (C) the child of such individual or the spouse of such
408 child;

409 (5) Goods or services (A) which are provided to a state agency or
410 quasi-public agency (i) for use on state or quasi-public agency
411 property, or (ii) that support an event, and (B) which facilitate state or

412 quasi-public agency action or functions. As used in this subdivision,
413 "state property" means (i) property owned by the state or a quasi-
414 public agency, or (ii) property leased to a state or quasi-public agency;

415 (6) A certificate, plaque or other ceremonial award costing less than
416 one hundred dollars;

417 (7) A rebate, discount or promotional item available to the general
418 public;

419 (8) Printed or recorded informational material germane to state
420 action or functions;

421 (9) Food or beverage or both, costing less than fifty dollars in the
422 aggregate per recipient in a calendar year, and consumed on an
423 occasion or occasions at which the person paying, directly or
424 indirectly, for the food or beverage, or his representative, is in
425 attendance;

426 (10) Food or beverage or both, costing less than fifty dollars per
427 person and consumed at a publicly noticed legislative reception to
428 which all members of the General Assembly are invited and which is
429 hosted not more than once in any calendar year by a lobbyist or
430 business organization. For the purposes of such limit, (A) a reception
431 hosted by a lobbyist who is an individual shall be deemed to have also
432 been hosted by the business organization which he owns or is
433 employed by, and (B) a reception hosted by a business organization
434 shall be deemed to have also been hosted by all owners and employees
435 of the business organization who are lobbyists. In making the
436 calculation for the purposes of such fifty-dollar limit, the donor shall
437 divide the amount spent on food and beverage by the number of
438 persons whom the donor reasonably expects to attend the reception;

439 (11) Food or beverage or both, costing less than fifty dollars per
440 person and consumed at a publicly noticed reception to which all
441 members of the General Assembly from a region of the state are
442 invited and which is hosted not more than once in any calendar year

443 by a lobbyist or business organization. For the purposes of such limit,
444 (A) a reception hosted by a lobbyist who is an individual shall be
445 deemed to have also been hosted by the business organization which
446 he owns or is employed by, and (B) a reception hosted by a business
447 organization shall be deemed to have also been hosted by all owners
448 and employees of the business organization who are lobbyists. In
449 making the calculation for the purposes of such fifty-dollar limit, the
450 donor shall divide the amount spent on food and beverage by the
451 number of persons whom the donor reasonably expects to attend the
452 reception. As used in this subdivision, "region of the state" means the
453 established geographic service area of the organization hosting the
454 reception;

455 (12) A gift, including, but not limited to, food or beverage or both,
456 provided by an individual for the celebration of a major life event,
457 provided any such gift provided by an individual who is not a
458 member of the family of the recipient shall not exceed one thousand
459 dollars in value;

460 (13) Gifts costing less than one hundred dollars in the aggregate or
461 food or beverage provided at a hospitality suite at a meeting or
462 conference of an interstate legislative association, by a person who is
463 not a registrant or is not doing business with the state of Connecticut;

464 (14) Admission to a charitable or civic event, including food and
465 beverage provided at such event, but excluding lodging or travel
466 expenses, at which a public official or state employee participates in
467 his official capacity, provided such admission is provided by the
468 primary sponsoring entity;

469 (15) Anything of value provided by an employer of (A) a public
470 official, (B) a state employee, or (C) a spouse of a public official or state
471 employee, to such official, employee or spouse, provided such benefits
472 are customarily and ordinarily provided to others in similar
473 circumstances;

474 (16) Anything having a value of not more than ten dollars, provided

475 the aggregate value of all things provided by a donor to a recipient
476 under this subdivision in any calendar year shall not exceed fifty
477 dollars; or

478 (17) Training that is provided by a vendor for a product purchased
479 by a state or quasi-public agency which is offered to all customers of
480 such vendor.

481 Sec. 511. Subsection (f) of section 1-84b of the general statutes is
482 repealed and the following is substituted in lieu thereof (*Effective July*
483 *1, 2008*):

484 (f) No former public official or state employee (1) who participated
485 substantially in the negotiation or award of (A) a state contract valued
486 at an amount of fifty thousand dollars or more, or (B) a written
487 agreement for the approval of a payroll deduction slot described in
488 section 3-123g, or (2) who supervised the negotiation or award of such
489 a contract or agreement, shall accept employment with a party to the
490 contract or agreement other than the state for a period of one year after
491 his resignation from his state office or position if his resignation occurs
492 less than one year after the contract or agreement is signed. No party
493 to such a contract or agreement other than the state shall employ any
494 such former public official or state employee in violation of this
495 subsection.

496 Sec. 512. Subsections (a) and (b) of section 1-82 of the general
497 statutes are repealed and the following is substituted in lieu thereof
498 (*Effective from passage*):

499 (a) (1) Upon the complaint of any person on a form prescribed by
500 the board, signed under penalty of false statement, or upon its own
501 complaint, the ethics enforcement officer of the Office of State Ethics
502 shall investigate any alleged violation of this part or section 1-101nn of
503 the 2008 supplement to the general statutes. Not later than five days
504 after the receipt or issuance of such complaint, the board shall provide
505 notice of such receipt or issuance and a copy of the complaint by
506 registered or certified mail to any respondent against whom such

507 complaint is filed and shall provide notice of the receipt of such
508 complaint to the complainant. When the ethics enforcement officer of
509 the Office of State Ethics undertakes an evaluation of a possible
510 violation of this part or section 1-101nn of the 2008 supplement to the
511 general statutes prior to the filing of a complaint, the subject of the
512 evaluation shall be notified not later than five business days after an
513 Office of State Ethics staff member's first contact with a third party
514 concerning the matter.

515 (2) In the conduct of its investigation of an alleged violation of this
516 part or section 1-101nn of the 2008 supplement to the general statutes,
517 the Office of State Ethics shall have the power to hold hearings,
518 administer oaths, examine witnesses [,] and receive oral and
519 documentary evidence. [,] The Office of State Ethics may subpoena
520 witnesses under procedural rules adopted by the Citizen's Ethics
521 Advisory Board as regulations in accordance with the provisions of
522 chapter 54 to compel attendance before the Office of State Ethics and to
523 require the production for examination by the ethics enforcement
524 officer of the Office of State Ethics of any books and papers which the
525 Office of State Ethics deems relevant in any matter under investigation
526 or in question, provided any such subpoena is issued either pursuant
527 to a majority vote of the Citizen's Ethics Advisory Board or pursuant to
528 the signature of the chairperson of such board. The vice-chairperson of
529 such board may sign any such subpoena if the chairperson of such
530 board is unavailable. In the exercise of such powers, the Office of State
531 Ethics may use the services of the state police, who shall provide the
532 same upon the office's request. The Office of State Ethics shall make a
533 record of all proceedings conducted pursuant to this subsection. The
534 ethics enforcement officer of the Office of State Ethics may bring any
535 alleged violation of this part before a judge trial referee assigned by the
536 Chief Court Administrator for such purpose for a probable cause
537 hearing. Such judge trial referee shall be compensated in accordance
538 with the provisions of section 52-434 from such funds as may be
539 available to the Office of State Ethics. Any witness summoned before
540 the Office of State Ethics or a judge trial referee pursuant to this

541 subsection shall receive the witness fee paid to witnesses in the courts
542 of this state. During any investigation conducted pursuant to this
543 subsection or any probable cause hearing conducted pursuant to this
544 subsection, the respondent shall have the right to appear and be heard
545 and to offer any information which may tend to clear the respondent
546 of probable cause to believe the respondent has violated any provision
547 of this part or section 1-101nn of the 2008 supplement to the general
548 statutes. The respondent shall also have the right to be represented by
549 legal counsel and to examine and cross-examine witnesses. Not later
550 than ten days prior to the commencement of any hearing conducted
551 pursuant to this subsection, the Office of State Ethics shall provide the
552 respondent with a list of its intended witnesses. Any finding of
553 probable cause to believe the respondent is in violation of any
554 provisions of this part shall be made by a judge trial referee not later
555 than thirty days after the ethics enforcement officer brings such alleged
556 violation before such judge trial referee, except that such thirty-day
557 limitation period shall not apply if the judge trial referee determines
558 that good cause exists for extending such limitation period.

559 (b) If a judge trial referee determines that probable cause exists for
560 the violation of a provision of this part or section 1-101nn of the 2008
561 supplement to the general statutes, the board shall initiate hearings to
562 determine whether there has been a violation of this part or section 1-
563 101nn of the 2008 supplement to the general statutes. Any such
564 hearing shall be initiated by the board not later than thirty days after
565 the finding of probable cause by a judge trial referee and shall be
566 concluded not later than ninety days after its initiation, except that
567 such thirty or ninety-day limitation period shall not apply if the judge
568 trial referee determines that good cause exists for extending such
569 limitation period. A judge trial referee, who has not taken part in the
570 probable cause determination on the matter shall be assigned by the
571 Chief Court Administrator and shall be compensated in accordance
572 with section 52-434 out of funds available to the Office of State Ethics
573 and shall preside over such hearing and rule on all issues concerning
574 the application of the rules of evidence, which shall be the same as in

575 judicial proceedings. The trial referee shall have no vote in any
576 decision of the board. All hearings of the board held pursuant to this
577 subsection shall be open. At such hearing the board shall have the
578 same powers as the Office of State Ethics under subsection (a) of this
579 section and the respondent shall have the right to be represented by
580 legal counsel, the right to compel attendance of witnesses and the
581 production of books, documents, records and papers and to examine
582 and cross-examine witnesses. Not later than ten days prior to the
583 commencement of any hearing conducted pursuant to this subsection,
584 the Office of State Ethics shall provide the respondent with a list of its
585 intended witnesses. The judge trial referee shall, while engaged in the
586 discharge of the duties as provided in this subsection, have the same
587 authority as is provided in section 51-35 over witnesses who refuse to
588 obey a subpoena or to testify with respect to any matter upon which
589 such witness may be lawfully interrogated, and may commit any such
590 witness for contempt for a period no longer than thirty days. The
591 Office of State Ethics shall make a record of all proceedings pursuant
592 to this subsection. During the course of any such hearing, no ex-parte
593 communication shall occur between the board, or any of its members,
594 and: (1) The judge trial referee, or (2) any staff member of the
595 Enforcement Division of the Office of State Ethics, concerning the
596 complaint or the respondent. The board shall find no person in
597 violation of any provision of this part or section 1-101nn of the 2008
598 supplement to the general statutes except upon the concurring vote of
599 six of its members present and voting. No member of the board shall
600 vote on the question of whether a violation of any provision of this
601 part has occurred unless such member was physically present for the
602 duration of any hearing held pursuant to this subsection. Not later
603 than fifteen days after the public hearing conducted in accordance with
604 this subsection, the board shall publish its finding and a memorandum
605 of the reasons therefor. Such finding and memorandum shall be
606 deemed to be the final decision of the board on the matter for the
607 purposes of chapter 54. The respondent, if aggrieved by the finding
608 and memorandum, may appeal therefrom to the Superior Court in
609 accordance with the provisions of section 4-183.

610 Sec. 513. Subsections (a) and (b) of section 1-93 of the general
611 statutes are repealed and the following is substituted in lieu thereof
612 (*Effective from passage*):

613 (a) (1) Upon the complaint of any person on a form prescribed by
614 the Office of State Ethics, signed under penalty of false statement, or
615 upon its own complaint, the ethics enforcement officer of the Office of
616 State Ethics shall investigate any alleged violation of this part. Not
617 later than five days after the receipt or issuance of such complaint, the
618 Office of State Ethics shall provide notice of such receipt or issuance
619 and a copy of the complaint by registered or certified mail to any
620 respondent against whom such complaint is filed and shall provide
621 notice of the receipt of such complaint to the complainant. When the
622 Office of State Ethics undertakes an evaluation of a possible violation
623 of this part prior to the filing of a complaint, the subject of the
624 evaluation shall be notified not later than five business days after a
625 staff member of the Office of State Ethics undertakes the first contact
626 with a third party concerning the matter.

627 (2) In the conduct of its investigation of an alleged violation of this
628 part, the Office of State Ethics shall have the power to hold hearings,
629 administer oaths, examine witnesses [] and receive oral and
630 documentary evidence. [] The Office of State Ethics may subpoena
631 witnesses under procedural rules adopted by the Citizen's Ethics
632 Advisory Board as regulations in accordance with the provisions of
633 chapter 54 to compel attendance before the Office of State Ethics and to
634 require the production for examination by the ethics enforcement
635 officer of the Office of State Ethics of any books and papers which the
636 ethics enforcement officer of the Office of State Ethics deems relevant
637 in any matter under investigation or in question, provided any such
638 subpoena is issued either pursuant to a majority vote of the Citizen's
639 Ethics Advisory Board or pursuant to the signature of the chairperson
640 of such board. The vice-chairperson of such board may sign any such
641 subpoena if the chairperson of such board is unavailable. In the
642 exercise of such powers, the Office of State Ethics may use the services
643 of the state police, who shall provide the same upon the office's

644 request. The Office of State Ethics shall make a record of all
645 proceedings conducted pursuant to this subsection. Any witness
646 summoned before the Office of State Ethics or a judge trial referee
647 pursuant to this subsection shall receive the witness fee paid to
648 witnesses in the courts of this state. The ethics enforcement officer of
649 the Office of State Ethics may bring any alleged violation of this part
650 before a judge trial referee assigned by the Chief Court Administrator
651 for such purpose for a probable cause hearing. Such judge trial referee
652 shall be compensated in accordance with the provisions of section 52-
653 434 from such funds as may be available to the Office of State Ethics.
654 The respondent shall have the right to appear at any hearing held
655 pursuant to this subsection and be heard and to offer any information
656 which may tend to clear the respondent of probable cause to believe
657 the respondent has violated any provision of this part. The respondent
658 shall also have the right to be represented by legal counsel and to
659 examine and cross-examine witnesses. Not later than ten days prior to
660 the commencement of any hearing conducted pursuant to this
661 subsection, the Office of State Ethics shall provide the respondent with
662 a list of its intended witnesses. Any finding of probable cause to
663 believe the respondent is in violation of any provision of this part shall
664 be made by a judge trial referee not later than thirty days after the
665 ethics enforcement officer brings such alleged violation before such
666 judge trial referee, except that such thirty-day limitation period shall
667 not apply if the judge trial referee determines that good cause exists for
668 extending such limitation period.

669 (b) If a judge trial referee indicates that probable cause exists for the
670 violation of a provision of this part, the board shall initiate hearings to
671 determine whether there has been a violation of this part. Any such
672 hearing shall be initiated by the board not later than thirty days after
673 the finding of probable cause by a judge trial referee and shall be
674 concluded not later than ninety days after its initiation, except that
675 such thirty-day or ninety-day limitation period shall not apply if the
676 judge trial referee determines that good cause exists for extending such
677 limitation period. A judge trial referee, who has not taken part in the

678 probable cause determination on the matter shall be assigned by the
679 Chief Court Administrator and shall be compensated in accordance
680 with section 52-434 out of funds available to the board and shall
681 preside over such hearing and rule on all issues concerning the
682 application of the rules of evidence, which shall be the same as in
683 judicial proceedings. The trial referee shall have no vote in any
684 decision of the board. All hearings of the board held pursuant to this
685 subsection shall be open. At such hearing the board shall have the
686 same powers as the Office of State Ethics under subsection (a) of this
687 section and the respondent shall have the right to be represented by
688 legal counsel, the right to compel attendance of witnesses and the
689 production of books, documents, records and papers and to examine
690 and cross-examine witnesses. Not later than ten days prior to the
691 commencement of any hearing conducted pursuant to this subsection,
692 the Office of State Ethics shall provide the respondent with a list of its
693 intended witnesses. The judge trial referee shall, while engaged in the
694 discharge of the duties as provided in this subsection, have the same
695 authority as is provided in section 51-35 over witnesses who refuse to
696 obey a subpoena or to testify with respect to any matter upon which
697 such witness may be lawfully interrogated, and may commit any such
698 witness for contempt for a period no longer than thirty days. The
699 Office of State Ethics shall make a record of all proceedings pursuant
700 to this subsection. During the course of any such hearing, no ex-parte
701 communication shall occur between the board, or any of its members,
702 and: (1) The judge trial referee, or (2) any staff member of the
703 Enforcement Division of the Office of State Ethics, concerning the
704 complaint or the respondent. The board shall find no person in
705 violation of any provision of this part except upon the concurring vote
706 of [two-thirds] six of its members present and voting. No member of
707 the board shall vote on the question of whether a violation of any
708 provision of this part has occurred unless such member was physically
709 present for the duration of any hearing held pursuant to this
710 subsection. Not later than fifteen days after the public hearing
711 conducted in accordance with this subsection, the board shall publish
712 its finding and a memorandum of the reasons therefor. Such finding

713 and memorandum shall be deemed to be the final decision of the
714 board on the matter for the purposes of chapter 54. The respondent, if
715 aggrieved by the finding and memorandum, may appeal therefrom to
716 the Superior Court in accordance with the provisions of section 4-183."